

Balance to credit of
Indians for their bene-
fit.

No per capita pay-
ment.

prosecution of such suit or suits, to be paid to the attorney or attorneys employed, as herein provided, by the said tribes, and the same shall be included in the decree, and be paid out of any sum or sums adjudged to be due, the balance to be placed in the Treasury of the United States, to the credit of said tribes, where the money shall draw interest at the rate of 4 per centum per annum until paid and shall be thereafter subject to appropriation by Congress for educational, health, industrial, and other purposes for the benefit of said Indians, including the purchase of lands and building of homes, and no part of said judgment shall be paid out in per capita payments to said Indians.

Approved, February 23, 1929.

February 23, 1929.

[H. R. 11469.]

[Public, No. 799.]

CHAP. 301.—An Act To authorize appropriations for construction at the United States Military Academy, West Point, New York.

Military Academy.
Sum authorized for
buildings, etc., at.
Post, p. 1368.

Provisos.
New cadet barracks.
Post, p. 1368.

Architects author-
ized.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated not to exceed \$672,000 to be expended for the construction and installation at the United States Military Academy, West Point, New York, of such buildings, utilities, and appurtenances as may be necessary as follows: For officers' quarters, \$507,000; for noncommissioned officers' quarters, \$165,000: *Provided*, That the new cadet barracks heretofore authorized to be constructed shall be erected on the site of the old cadet mess hall, the street face of the said barracks to be in prolongation of the street face of the west academic building, leaving an open area on the north side of said barracks so that the said barracks can be supervised from the present south cadet guardhouse: *And provided further*, That the Superintendent of the United States Military Academy, West Point, New York, with the approval of the Secretary of War, is authorized to employ architects to draw the necessary plans and specifications from funds herein authorized, when appropriated.

Approved, February 23, 1929.

February 23, 1929.

[H. R. 8901.]

[Public, No. 800.]

CHAP. 302.—An Act To amend and further extend the benefits of the Act approved March 3, 1925, entitled "An Act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any and all claims, of whatever nature, which the Kansas or Kaw Tribe of Indians may have or claim to have against the United States, and for other purposes."

Kansas or Kaw In-
dians.
Vol. 43, p. 1133,
amended.

Claims of, against
United States, to be
adjudicated by Court
of Claims.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any and all claims, of whatever nature, which the Kansas or Kaw Tribe of Indians may have or claim to have against the United States, and for other purposes" approved March 3, 1925 (Forty-third Statutes at Large, page 1133), be, and the same is hereby, amended and reenacted so as to read as follows:

"SECTION 1. That jurisdiction be, and is hereby, conferred upon the Court of Claims, notwithstanding the lapse of time or statutes of limitation, to hear, examine, adjudicate, and render judgment in any and all legal and equitable claims which said Kansas or Kaw Tribe of Indians may have or claim to have against the United States, growing out of or arising under any treaty or agreement

between the United States and the Kansas or Kaw Tribe of Indians, or arising under or growing out of any Act of Congress in relation to Indian affairs, which claims have not heretofore been determined and adjudicated on their merits by the Court of Claims or the Supreme Court of the United States.

"SEC. 2. Any and all claims against the United States within the purview of this Act shall be forever barred unless suit be instituted or petition filed, as herein provided, in the Court of Claims within three years from the date of approval of this Act, and such suit shall be prosecuted in the name of said Kansas or Kaw Tribe of Indians as plaintiff, upon petition numbered F-64, now filed in the Court of Claims and any amendment thereto that may be necessary under the provisions of this Act, and all the evidence and proceedings filed in said case numbered F-64 shall be received and accepted by the court to the same extent as though filed anew in the suit or amendment filed under this Act. Official letters, papers, documents, and records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give access to the attorneys of said Kansas or Kaw Tribe of Indians to such treaties, papers, correspondence, or records as may be needed by the attorneys of the Kansas or Kaw Tribe of Indians.

Time for filing.

Evidence admitted.

"SEC. 3. In said suit, the court shall also hear, examine, consider, and adjudicate any claims which the United States may have against said Kansas or Kaw Tribe of Indians, but any payment, including gratuities, which may have been made by the United States, upon any claims against the United States, shall not operate as an estoppel, but may be pleaded as an offset in such suit.

Counter claims allowed.

"SEC. 4. That from the decision of the Court of Claims in any suit prosecuted under the authority of this Act, an appeal or other appropriate proceeding may be taken by either party as in other cases to the Supreme Court of the United States.

Appeal to Supreme Court.

"SEC. 5. That upon the final determination of any suit instituted under this Act, the Court of Claims shall decree such amount or amounts as it may find reasonable to be paid the said attorneys of the Kansas or Kaw Tribe of Indians for their services and expenses as said attorneys: *Provided*, That in no case shall the aggregate amounts decreed by said Court of Claims for fees be in excess of a sum equal to 10 per centum of the amount of recovery against the United States. The amount of any judgment, after payment of such fees and expenses, shall be placed in the Treasury of the United States to the credit of the Kansas or Kaw Tribe of Indians and shall draw interest at the rate of 4 per centum per annum and shall be thereafter subject to appropriation by Congress for educational, health, industrial, and other purposes for the benefit of said Indians, including the purchase of lands and building of homes, and no part of said judgment shall be paid out in per capita payments to said Indians.

Attorneys' fees by decree of court.

Precise Limitation.

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"SEC. 6. The Court of Claims shall have full authority by proper order and process to bring in and make parties to such suit any or all persons or tribes or bands of Indians deemed by it necessary or proper to the final determination of the matters in controversy.

Joining of others, Indians, etc., as parties.

"SEC. 7. A copy of the petition shall, in such case, be served upon the Attorney General of the United States, and he, or some attorney from the Department of Justice to be designated by him, is hereby directed to appear and defend the interests of the United States in such case."

Notice to Attorney General.

Approved, February 23, 1929.